

**TESTIMONY ON HB 853
MARYLAND SECOND LOOK ACT**

**Senate Judicial Proceedings Committee
March 25, 2025**

FAVORABLE WITH AMENDMENTS

Submitted by: Joan Dorsey

Chair Smith, Vice Chair Waldstreicher and members of the Judicial Proceedings Committee:

I, Joan Dorsey, am submitting this testimony in support of the Maryland Second Look Act, with an amendment to ensure everyone who has served 20 years will be eligible to petition. I am submitting this testimony as an impacted family member and member of the Maryland Second Look Coalition, Family Support Network, and MAJR.

I support this initiative, SECOND LOOK ACT HB 853, where the second-look laws would legally allow courts to re-examine the sentences of incarcerated individuals with a minimum of 20 years to apply for sentence modification. The opportunity should be given to people regardless of their offense, as the Judge will consider a wide range of things, to include the nature of their offense, their rehabilitation and any mitigating factors to support a *potential* change in sentence. Therefore I ask that the exclusion for those sentenced under Criminal Law Article 3-303 be removed and no more exclusionary amendments be added.

I urge you to vote **favorable with amendments**. As the current bill language stands, it excludes my son, based on his offense. He is currently 37 years old and was incarcerated at age 19 years old. My husband and I adopted him at 2 1/2 months old, where subtle but noticeable developmental behaviors began. At age 7, he was diagnosed with Tourette Syndrome, (multiple motor tics and vocal tics) as well as and other health impairments. The lack of technology, research, knowledge, skills and training in the late 80's from renowned physicians regarding Tourette Syndrome only produced very little help, just speculation and many medications that failed! The teasing, bullying and being ostracized led to unruly and reckless behavior. He was a truly a classic book case example of Tourette Syndrome whereby this body jumped and moved all over and all the time. Echolalia, coprolalia, palialia overwhelmed in conversations and consumed him. He was relentlessly punished by teacher, church leaders, sport leaders coaches, by writing repeatedly, recess removed, trips, and events not allowed to attend, time out in corners and more. Our son and us literally prayed and cried out to anyone we thought that could help him. His mind and body traveled down a daily life of uncertainly,

confusion and isolation with powerful medications that only exacerbated and worsen his condition as he developed and progressed into middle school. As a result, proper treatment, he began reckless and unruly behaviors that manifested in school, peer groups and in the general public. These misbehaviors, and my son not having the ability to manage, led him to incarceration.

I believe my son received an unfair and unjust sentence as the judge doubled his sentence, going outside of the guidelines, never taking in consideration the clinically diagnosed disabilities of Tourette Syndrome and other health impairments. Additionally, I believe that racial disparity can clearly be seen in his case. He has thus far served nearly twenty years in prison with limited support, however with my husband's and my consistent communication with strong advocacy, allow the storms slowly diminish with meds and counseling, even though barely adequate. Currently, my son has grown to be a loving, caring, compassionate, and responsible man, through rehabilitation, and a continuous very strong support of family. We love him very much and are fighting for his purposeful life.

My husband and I are aging, 73 and 75 and experiencing a number of health challenges where our son's absence has created a profound impact on our lives, however, his release from incarceration after 20 years will significantly help, assist and support us! I know my son is ready to contribute to the community and would meet the criteria set forth and truly make a positive difference and change in this society.

Furthermore, those with life without parole sentences are also excluded. The Juvenile Restoration Act, which HB 853 builds upon, banned Life Without Parole (LWOP) for minors sentenced as adults and gave individuals convicted as adults for crimes committed under 18 the chance to request a sentence reduction after serving 20 years, including those originally sentenced to LWOP as minors. Excluding LWOP from the Second Look process while allowing it under the JRA just doesn't make sense. Research consistently shows that brain development continues into the mid-to-late 20s, with the prefrontal cortex, the part responsible for decision-making, among the last to fully mature. Emerging adults still share many of the same risk factors as youth, such as increased impulsivity, greater risk-taking, poor decision-making, and difficulty with long-term thinking.

For these reasons, I encourage you to vote **favorable with amendments** on the **Maryland Second Look Act HB853**.

